

you cannot have the local druggist going out and purchasing the product at the best price that he can get, maybe in Canada, maybe Europe. You can't do that. You cannot have regulation. You cannot have free market competition.

Then, on top of all of that, what the drug companies have managed to do is get many billions of dollars in corporate welfare, so the taxpayers of this country subsidize the research and development of many of the most important drugs, while the consumers, the American consumers, get no reasonable pricing despite the many billions of dollars that go into research and development that were paid for by them.

The drug companies get it all. That is what they get. At the end of the day, year after year after year, they are one of the most profitable industries in this country. They are very profitable, and elderly people and working people all over this country find it harder and harder to pay for the prescription drugs they desperately need.

Let us stand with the people. Let's defeat the Cochran amendment and pass the Dorgan amendment.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

PRESCRIPTION DRUG USER FEE AMENDMENTS OF 2007

The PRESIDING OFFICER (Ms. KLOBUCHAR). Under the previous order, the Senate will resume consideration of S. 1082, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1082) to amend the Federal Food, Drug, and Cosmetic Act to reauthorize and amend the prescription drug user fee provisions, and for other purposes.

Pending:

Landrieu amendment No. 1004, to require the Food and Drug Administration to permit the sale of baby turtles as pets so long as the seller uses proven methods to effectively treat salmonella.

Dorgan amendment No. 990, to provide for the importation of prescription drugs.

Cochran amendment No. 1010 (to amendment No. 990), to protect the health and safety of the public.

Stabenow amendment No. 1011, to insert provisions related to citizens petitions.

Brown (for Brownback/Brown) amendment No. 985, to establish a priority drug review process to encourage treatments of tropical diseases.

Vitter amendment No. 983, to require counterfeit-resistant technologies for prescription drugs.

Inhofe amendment No. 988, to protect children and their parents from being coerced into administering a controlled substance in order to attend school.

Gregg/Coleman amendment No. 993, to provide for the regulation of Internet pharmacies.

Mr. GRASSLEY. Madam President, we have three critical votes ahead of us this afternoon. These votes mean that today is the day we show the American

people whether we can really pass drug importation or whether we are just giving it lip service and nothing else. The Dorgan amendment is the moment American consumers have been waiting for and today is the day.

As I said last week, the Dorgan amendment is the result of a collaborative effort by myself with Senator DORGAN and with Senator SNOWE and Senator KENNEDY to finally make drug importation legal in this country.

This is the golden opportunity this year to get it done.

Now we have heard here on the floor the concerns that some have with drug importation and drug safety. Let me tell you that this is something I take seriously. Everyone who knows me knows that I care deeply about the safety of drugs, and I would not be standing here today urging support for the Dorgan amendment if I didn't think it had the right stuff on drug safety. And it does.

The fact is that the unsafe situation is what we have today.

Today, consumers are ordering drugs over the Internet from who knows where, and the FDA does not have the resources to do much of anything about it.

The fact is that legislation to legalize importation would not only help to lower the cost of prescription drugs for all Americans but also should shut down rogue Internet pharmacies selling unsafe drugs.

The Dorgan amendment would improve drug safety, not threaten it. And it would open up trade to lower cost drugs.

We see news accounts on a regular basis describing Americans who log on to the Internet to purchase drugs from Canada and elsewhere.

In 2004, my staff were briefed about an investigation by the Permanent Subcommittee on Investigations for the Senate Government Affairs Committee.

The Permanent Subcommittee on Investigations conducted an investigation into current drug importation. They found that about 40,000 parcels containing prescription drugs come through the JFK mail facility every single day of the year—40,000 packages each day.

Now, the JFK airport houses the largest International Mail Branch in the United States, but even then it is the tip of the iceberg.

Each day of the year 30,000 packages of drugs enter the United States through Miami, and 20,000 enter through Chicago. That's 50,000 more packages each day.

What is worse, about 28 percent of the drugs coming in are controlled substances.

These are addictive drugs that require close physician supervision.

While most people are ordering their prescriptions from Canada, they are also ordering prescriptions from Brazil, India, Pakistan, the Netherlands, Spain, Portugal, Mexico and Romania.

Although the Federal Food, Drug, and Cosmetic Act prohibits the importation of unapproved, misbranded, or adulterated drugs into the United States, the fact is that thousands of counterfeit and unregulated drugs are seeping through our borders. This is what is happening today.

John Taylor, Associate Commissioner of Regulatory Affairs for the Food and Drug Administration, FDA, in his testimony before the House Committee on Energy and Commerce in June 2003 stated that, "the growing volume of unapproved imported drugs, which often are generated from sales via the Internet, presents a formidable enforcement challenge."

Despite the hard work of both the FDA and BCBP to control our borders, the importation of illegal drugs has become an unenforceable problem. That is because today, the FDA does not have the authority or the resources to do much about it. The Dorgan amendment would change that.

The basic approach to assuring the drugs are safe in the Dorgan amendment which I coauthored with him—is to give FDA the ability to verify the drug pedigree back to the manufacturer, require FDA to inspect frequently, and require fees to give FDA the resources to do this.

For imports by individuals from Canada, the bill requires the exporters in Canada to register with FDA and to post a bond that they will lose if they send unsafe drugs. Frequent inspections by FDA ensure compliance.

For commercial imports, American wholesalers and pharmacists must register with FDA and are subject to criminal penalties if they import unsafe drugs. Again, frequent inspections by FDA ensure compliance.

The bill requires manufacturers to inform FDA whether foreign drugs meet FDA standards, and if they don't, the manufacturers have to give FDA the information necessary to evaluate the safety of the drug. If a foreign drug is manufactured in a plant the FDA has not inspected, FDA can inspect it.

The bottom line is the legislation gives the FDA the authority and resources it needs to implement safely the drug importation program set up under this bill.

The fact is that the unsafe situation is what we have today: 40,000 drug packages coming in every day in New York, 30,000 drug packages coming in every day in Miami, and 20,000 drug packages coming in every day in Chicago. That is 90,000 packages with drugs coming in from other countries every single day.

We are already saying yes to drug importation every day that we allow this unregulated and unsafe situation to exist. We say yes to it 90,000 times a day.

What we need to do and what the Dorgan amendment would accomplish is giving the FDA the resources to clean up this mess.

The Dorgan amendment gives the FDA the resources and authority to